

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Michael McCain,

Plaintiff(s),

vs.

Ed Voorhies, et al.,

Defendant(s).

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Case Number: 1:09cv444

Chief Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on May 3, 2012 (Doc. 75), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired May 21, 2012, hereby ADOPTS said Report and Recommendation.

Accordingly, Defendant Burchett's motion for summary judgement (Doc. 69) is **GRANTED** and that plaintiff's claims against Defendant Burchett is **DISMISSED**.

Plaintiff's claims against Defendant McCallister is **DISMISSED**.

The Court certifies pursuant to 28 U.S.C. § 1915 (a)(3) that an appeal of any Order adopting the Report and Recommendation will not be taken in good faith. *See McGore v. Wrigglesworth*, 114F.3d 601 (6th Cir. 1997).

This case is **DISMISSED** on the docket of this Court.

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court